

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ARIELLE KRIARIS)	
21170 Northwood Avenue)	JUDGE: PAMELA A. BARKER
Fairview Park, Ohio 44126)	
)	CASE NO. 1:23-cv-02158-PAB
and)	
)	<u>AMMENDED COMPLAINT</u>
)	<i>(jury demand endorsed hereon)</i>
DIAMOND PEDRO)	
6903 York Road Apartment 205)	
Parma Heights, Ohio 44130)	
)	
Plaintiffs,)	
v)	
)	
PETCO ANIMAL SUPPLIES STORE)	
INC.)	
6885 Southland Drive)	
Middleburg Heights, OH 44130)	
)	
and)	
)	
STEVEN OBERLANDER)	
<i>Address Unknown</i>)	
)	
Defendants.		

Now come Plaintiffs, and for their joint Complaint state as follows:

COUNT ONE

1. That all times relevant herein Defendant Petco Animal Supplies Store, Inc., hereinafter Defendant Petco, is a retail pet supply business that additionally provides transitory veterinarian care on location with retail outlets open to the general public throughout the United States of America and with multiple stores in the state of Ohio and numerous stores in Cuyahoga County and the surrounding counties in Northeast Ohio.

2. That in November of 2022 Plaintiff Arielle Kriaris was 21 years old, Plaintiff Diamond Pedro was 21 years old and Defendant Steven Oberlander was approximately 41 years old.

3. That at all times relevant herein Plaintiff's Arielle Kriaris and Diamond Pedro are employees of Defendant Petco.

4. That at all times relevant herein Defendant Steven Oberlander is an employee of both Defendant Petco.

5. That beginning in November of 2022 Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro were with extreme regularity scheduled by Defendant Petco to work with Defendant Steven Oberlander.

6. That Plaintiffs by virtue of their employment worked in close proximity to Defendant Steven Oberlander said work included, but was not limited to, driving in a company van with Defendant Steven Oberlander to various Petco locations throughout Northeast Ohio and performing job duties involving aiding in the veterinarian examination of various animals brought in for veterinary care within Defendant Petco stores.

7. That commencing upon Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro's first employment exposure to Defendant Steven Oberlander in November of 2022 and continuing unabated through May of 2023 Plaintiffs were forced to endure unwanted verbal commentary and harassment of a sexual nature, unwanted and unwelcomed touching almost all of which was of a sexual nature, unwelcomed and unwanted invasion of their personal space along with other predatory behavior all committed by Defendant Steven Oberlander during work hours and during the furtherance of Defendant's Steven Oberlander's employment with Defendant Petco.

8. That said conduct of Defendant Steven Oberlander caused Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro to work in a toxic and hostile work environment.

9. That further said conduct of Defendant Steven Oberlander was committed with extreme regularity and occurred each and every time either Plaintiff was exposed to and caused to work with Defendant Steven Oberlander.

10. That Defendant Petco was placed on actual notice of Defendant Steven Oberlander's predatory and outrageous conduct which was sexual in nature and created a toxic and hostile work environment in early November 2022.

11. That Defendants Petco did nothing and or failed to take adequate remedial conduct to alleviate and or insure the cessation of predatory and outrageous conduct causing a toxic and hostile work environment by Defendant Steven Oberlander; and that further said failure negligently and or intentionally continued through May of 2023.

12. That Defendant Steven Oberlander's heretofore pled conduct caused Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro to sustain psychological injury and that said injury to each Plaintiff will continue into the indefinite future.

13. That Defendants Petco failure to provide a safe work place, failure to take adequate remedial conduct in response to Defendants Steven Oberlander's heretofore pled conduct was a direct and proximate result of both Plaintiff's psychological injury as heretofore pled.

COUNT TWO

14. Plaintiff's hereby incorporate each and every allegation in Count One of this Complaint as if fully rewritten herein.

15. That Defendant Petco's conduct in failing to take adequate remedial conduct after being placed on notice of Defendant Steven Oberlander's conduct as pled in Count One of this Complaint was intentional and or in reckless disregard of each Plaintiff's safety and wellbeing entitling Plaintiff's to punitive damages from Defendant Petco.

COUNT THREE

16. Plaintiff's hereby incorporate each and every allegation in Count One and Count Two of this Complaint as if fully rewritten herein.

17. That Defendant Steven Oberlander's conduct commencing in early November and continuing consistently through May of 2023 in whole or in part and as pled in Count One of this complaint as it was directed to Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro can be characterized as and was in fact outrageous in nature and constitutes intentional infliction of emotional distress to both Plaintiffs.

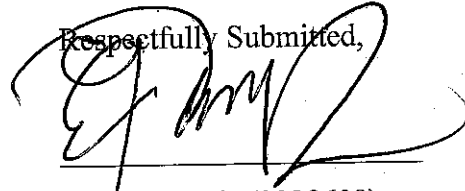
18. That further Defendant Steven Oberlander's conduct as set forth in Count One of this Complaint did in fact cause psychological injury to Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro.

WHEREFORE, Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro pray for the following relief:

1. An order from this Honorable Court holding Defendant Petco and Steven Oberlander jointly and severally liable to Plaintiff's Arielle Kriaris and Diamond Pedro for any and all their compensatory damages.
2. Compensatory damages in amount in excess of \$25,000.00 for Plaintiff Arielle Kriaris.
3. Compensatory damages in amount in excess of \$25,000.00 for Plaintiff Diamond Pedro.
4. An award of punitive damages against Defendant Petco in an amount in excess of \$25,000.00.

5. An award of punitive damages against Defendant Steven Oberlander for the intentional infliction of emotional distress sustained by Plaintiff Arielle Kriaris and Plaintiff Diamond Pedro in an amount in excess of \$25,000.00.
6. Cost, attorney fees and any and all other relief this Honorable Court deems just and fair.

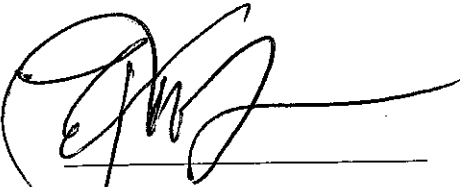
Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'E. Tasso Paris', written over a horizontal line.

E. Tasso Paris (0038609)
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JURY DEMAND

Jury of the maximum number afforded by law is hereby demanded on all issues so triable.



E. Tasso Paris (0038609)
Attorney for Plaintiffs